

## **Remarks**

The Applicants respectfully request entry of the above amendment after allowance under 37 CFR 1.312. The requested amendment cancels a portion of the priority claim originally made in the application, and its entry is requested to maintain consistency with the Patent Office's determination during prosecution that the allowed claims were not entitled to priority from the 09/663,147 (Sept. 15, 2000); 08/800,593 (Feb. 18, 1997); or 08/317,450 (Oct. 4, 1994) applications. (See the office actions mailed February 6, 2003 and July 30, 2002.) The Applicants addressed the priority claim rejection in the office action response dated May 29, 2003 (in response to the office action of Feb. 6, 2003), noting that the amended claims were fully supported by U.S. Provisional Application No. 60/175,005, filed Jan. 7, 2000. No rejection of this corrected priority claim rejection was made in the office action dated August 21, 2003.

The requested amendment is thus needed to provide appropriate public notice of the priority rights and claim of the application, and to reflect the finding of the patent office regarding the appropriate priority claim for the application. The requested amendment requires no substantial amount of additional work on the part of the Patent Office, as the Patent Office has already determined that the allowed claims were not entitled to priority from the 09/663,147 (Sept. 15, 2000); 08/800,593 (Feb. 18, 1997); or 08/317,450 (Oct. 4, 1994) applications. (See the office actions mailed February 6, 2003 and July 30, 2002.)

The requested amendment requires no additional prior art searching, as the patent office has already conducted prior art searches discounting the canceled priority claims. The requested amendment does not require more than a cursory review of the record to verify that the above, and it does not involve the review of excessive editorial changes.


Based on all of the above, the Applicants respectfully request consideration and entry of the amendment after allowance under 37 CFR 1.312.

If the Examiner believes that an interview would expedite entry of the requested amendment, the Examiner is invited to call the undersigned attorney at (312) 913-2106.

Respectfully submitted,  
McDonnell Boehnen  
Hulbert & Berghoff

Date:

6/18/04

  
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David Harper  
Registration No. 42,636